



Republic of the Philippines
PROVINCE OF DAVAO DEL SUR
Office of the Governor

PROCUREMENT MANAGEMENT OFFICE

BIDS AND AWARDS COMMITTEE

Mobile Nos. 0905-229-0526/0908-332-2024 (Goods), 0948-768-5848 (Infra)
Telefax: (082) 553-9579

Website: www.davaodelsur.gov.ph/pgo-bac

Email Add.: bac.davaodelsur2@gmail.com/sbacdavaodelsur@gmail.com

I Love Davao del Sur

CHECKLIST-GOODS

IB No. _____

Opening of Bids: _____

Name of Project/Brief Description of Goods:	
PR:	Dated:
Name of Contractor/Supplier	ABC
End User:	
ENVELOPE 1 - TECHNICAL COMPONENT ENVELOPE	
1.	Class "A" Documents
Legal Documents	
(a) Valid PhilGEPS Registration Certificate (Platinum Membership) with its corresponding Annex A	
Technical Documents	
(b) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started (7 calendar days before the bid opening), if any, whether similar or not similar in nature and complexity to the contract to be bid with supporting documents such as Notice of Award and/or Contract/Job Order	
(c) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid for the last 3 years, and whose value, adjusted to current prices using the Philippine Statistics Authority (PSA) consumer price indices, must be at least fifty percent (50%) of the ABC. However, in the case of Expendable Supplies, said SLCC must be at least twenty five percent (25%) of the ABC. This statement shall be supported with Contract/Purchase Order and Certificate of Completion/Acceptance or Inspection and Acceptance Report or Official Receipts	
(d) Original copy of Bid Security in the form of the following: <ul style="list-style-type: none"><input type="checkbox"/> Cash or Cashier's/Manager's check (2%)<input type="checkbox"/> Bank Guarantee/Draft or Irrevocable Letter of Credit (2%)<input type="checkbox"/> Surety Bond (5%) (submit a certification issued by the Insurance Commission)<input type="checkbox"/> Notarized Bid Securing Declaration	
(e) Conformity with the following: <ul style="list-style-type: none">1. Compliance as to Technical Specifications2. Production/delivery schedule3. Manpower requirements4. After sales service/parts/warranty/return policy	
<i>Minimum of 3 months in the case of expendable supplies from the date of acceptance of the delivered supplies. Minimum of 1 year in the case of non-expendable supplies from the date of acceptance of the delivered supplies.</i>	
(f) Original duly signed Omnibus Sworn Statement (OSS); and if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.	
Financial Documents	
(g) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC); or A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.	
2. Class "B" Documents	
(h) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence; or duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.	
Other documentary requirements under RA No. 9184 (as applicable)	
(i) <i>[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos]</i> Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.	
(j) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.	
QUALIFIED	
DISQUALIFIED	
ENVELOPE 2 - FINANCIAL COMPONENT ENVELOPE	
(a) Original of duly signed and accomplished Financial Bid Form;	
(b) Original of duly signed and accomplished Price Schedule(s).	

Name of the Procuring Entity:

,

Location of the Project: _____

List of all On-going Government & Private Contracts including contracts awarded but not yet started

Business Name: _____

Business Address: _____

Name of Contract / Location	a)Owner's Name b)Address c)Telephone No.	Nature of Work	Bidder's Role		a)Date Awarded b)Date Started c)Date of Completion	% of Accomplishment		Value of Outstanding Works/Undelivered Portion
			Description	%		Planned	Actual	
Government								
Private								
Total Cost								P

Note: This Statement shall be supported with:

Notice of Award and/or Contract/Job Order

Submitted by : _____
(Printed Name & Signature)

Designation : _____

Date : _____

Statement of Single Largest Completed Contract (SLCC)

(Similar in Nature for the Last 3 years)

Name of Project/Contract: _____

IB No. _____

Location: _____

Name of Contract / Location Project Cost	a)Owner’s Name b)Address c)Telephone No.	Nature of Work	Bidder’s Role		a) Amount at Award b) Amount at Completion c) Duration	a) Date Awarded b) Date Started c) Date of Completion
			Description	%		

- Note: This statement shall be supported with:
- 1. Contract/Purchase Order
 - 2. Certificate of Completion/Acceptance or Inspection and Acceptance Report or Official Receipts

Submitted by: _____
(Printed Name & Signature)

Designation: _____

Date: _____

Bid Securing Declaration Form

[shall be submitted with the Bid if bidder opts to provide this form of bid security]

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

BID SECURING DECLARATION **Project Identification No.: *[Insert number]***

To: *[Insert name and address of the Procuring Entity]*

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA No. 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
 - a. Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
 - b. I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right; and
 - c. I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this ____ day of *[month]* *[year]* at *[place of execution]*.

*[Insert NAME OF BIDDER OR ITS AUTHORIZED
REPRESENTATIVE]*

[Insert signatory's legal capacity]
Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]

Omnibus Sworn Statement (Revised)

[shall be submitted with the Bid]

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. *[Select one, delete the other:]*

[If a sole proprietorship:] I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

[If a partnership, corporation, cooperative, or joint venture:] I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. *[Select one, delete the other:]*

[If a sole proprietorship:] As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. *[Select one, delete the rest:]*

[If a sole proprietorship:] The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical

Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a partnership or cooperative:] None of the officers and members of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a corporation or joint venture:] None of the officers, directors, and controlling stockholders of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. *[Name of Bidder]* complies with existing labor laws and standards; and
8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
 - a. Carefully examining all of the Bidding Documents;
 - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
 - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.
9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of ____, 20__ at _____, Philippines.

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]
Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]

Bid Form for the Procurement of Goods

[shall be submitted with the Bid]

BID FORM

Date : _____

Project Identification No. : _____

To: *[name and address of Procuring Entity]*

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform]* *[description of the Goods]* in conformity with the said PBDs for the sum of *[total Bid amount in words and figures]* or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time before the expiration of that period.

[Insert this paragraph if Foreign-Assisted Project with the Development Partner:

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:

Name and address of agent	Amount	Purpose of Commission or gratuity
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(if none, state "None")]

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Bid or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of *[name of the bidder]* as evidenced by the attached *[state the written authority]*.

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

Name: _____

Legal capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Date: _____



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Resolution No. 1333

Series of 2023

A RESOLUTION

RECOMMENDING TO THE HEAD OF THE PROCURING ENTITY, GOVERNOR YVONNE ROÑA CAGAS TO FURTHER AMEND THE 3-STRIKE POLICY IN THE PROCUREMENT OF CONTRACTS FOR GOODS AND SERVICES, AND INFRASTRUCTURE PROJECTS OF THE PROVINCIAL GOVERNMENT OF DAVAO DEL SUR.

WHEREAS, the Provincial Government of Davao del Sur encounters several failures of biddings due to constant errors committed by the participating Bidders in the submission of their bidding documents despite of the orientation during Pre-Bid Conference and the Instruction to Bidders;

WHEREAS, to further strengthen the integrity of the competitive bidding process, the Bids and Awards Committee unanimously agreed that the following instructions are hereby issued pertaining to the implementation of the 3-Strike Policy of the Provincial Government of Davao del Sur against violations of Section 69 of the IRR of RA 9184;

1. The provision of Section 69.1 of the said IRR, pertaining to the 3-Strike Policy of the Provincial Government of Davao del Sur, is hereby reiterated as follows:

"In addition to the provisions of Rules XXI and XXII of this IRR, the Head of the Procuring Entity, subject to the authority delegated to the BAC, if any, shall impose on bidders or prospective bidders, the administrative penalty of suspension for one (1) year for the first offense, and suspension of two (2) years for the second offense from participating in the competitive bidding process, as well as disqualification from further participating in the competitive bidding being undertaken by the Procuring Entity concerned, where applicable, for the following violations: 69.1.i All other acts that tend to defeat the purpose of the competitive bidding, such as habitually withdrawing from bidding, submitting late Bids or patently insufficient bid, for at least three (3) times within a year, except for valid reasons."

2. The violations enumerated, which are considered as acts that tend to defeat the purpose of competitive bidding, are hereby clarified to read as follows:

- a) Non-submission of post-qualification and other requirements within the prescribed period as specified in the notice issued by the BAC;
- b) All other acts that tend to defeat the purpose of competitive bidding, such as:
 - 1.) Withdrawing from bidding or Non-dropping of Bid Documents,
 - 2.) Submitting late Bids;
 - 3.) Submitting of patently insufficient bid. Patently insufficient bid is clarified as the **"total absence"** of the required document.
 - 4.) Refusal to receive/acknowledge notice/s issued by the Head of the Procuring Entity and/or Bids and Awards Committee

- c) Habitually committing offenses that are not grounds for disqualification such as improper sealing, non-tabbing, and the like.
3. Every time a bidder is observed to have done committed any of the acts enumerated under Item 2 of this Resolution, the Chairperson of the BAC shall immediately issue a Show Cause Order to the erring bidder informing of his act, and giving him three (3) calendar days to show cause why he should not be sanctioned for committing an act which tends to defeat the purpose of public bidding under the 3-Strike Policy of the Provincial Government of Davao del Sur;
 4. Based on the evaluation by the BAC of the bidder's response to the Show Cause Order mentioned in Item No. 3 of this Resolution, the BAC shall, within five (5) calendar days from the receipt of the bidder's response determine whether the bidder's act was done with or without a valid cause;
 5. The BAC Secretariat shall submit to the BAC a 3-Strike Policy Report, which shall contain the information in Item 3 and 9 of this Resolution.
 6. The BAC through its Secretariat shall monitor the participation of bidders in all of its projects/participations, and maintain a tally of violations by each bidder of the 3-Strike Policy in its jurisdiction as well as of the violations by the bidder of the said policy in other offices of the Provincial Government of Davao del Sur;
 7. All other petty defects found in the bid documents of the bidder which will not in any manner defeat the purpose of Competitive Bidding shall not be a ground for the imposition of a strike, subject to the discretion of the BAC
 8. For the procurement of Infrastructure Projects, this Policy is applicable to all methods of procurement, be it Competitive Bidding or alternative methods of procurement. For the procurement of Goods and Consulting Services, this Policy is applicable to Competitive Bidding only
 9. For the sanctions to be imposed:
 - **ONE (1) STRIKE** will be imposed for various IB Nos. participated by the bidder with the same nature of violation opened on the same date, or was disqualified during post-qualification stage with the same case of the latter;
 - **MULTIPLE STRIKES** for different discrepancies/offenses under different IB Nos. opened on the same date, or was disqualified during post-qualification stage with the same case of the latter;
 - **For Item 2.c:** Three habitual offenses are equivalent to one (1) strike
 10. Each "offense" by a bidder referred to in Section 69.1.i. of the IRR, as stated in this Resolution, consists of three violations or strikes within a period of **one calendar year** for all the procurements of all offices of the Provincial Government of Davao del Sur. A Fresh Period of one (1) year in counting of "strikes" shall be observed in the succeeding year;

11. Based on the 3-Strike reports, the Bids and Awards Committee, shall recommend to the Head of the Procuring Entity, for approval, the following administrative sanctions on the erring Contractor/Supplier for the violation of the 3-Strike Policy:

- a. For the first violation or strike – a first warning.
- b. For the second strike – a second warning.
- c. For the third strike, which together with the first two strikes constitutes the first offense against the 3-Strike Policy – an administrative penalty of suspension for one (1) year from participating in any procurement process in the Provincial Government of Davao del Sur.
- d. For the second offense – the second set of three strikes committed by the bidder – an administrative suspension for two (2) years from participating in any procurement process in the Provincial Government of Davao del Sur.


WHEREFORE, on motion of BAC Member, Raul R. Fueconcillo, LAgri.MAgDev. duly seconded by all BAC Members present it was –


RESOLVED, as it is hereby **RESOLVED**, to recommend to the Head of the Procuring Entity, GOVERNOR YVONNE ROÑA CAGAS to **FURTHER AMEND THE 3-STRIKE POLICY IN THE PROCUREMENT OF CONTRACTS FOR GOODS AND SERVICES, AND INFRASTRUCTURE PROJECTS OF THE PROVINCIAL GOVERNMENT OF DAVAO DEL SUR.**

RESOLVED FINALLY, to furnish copies of this Resolution to all agencies concerned, Suppliers, and Concerned End Users, for their information and guidance.

UNANIMOUSLY APPROVED at the Ralota Hall, Governor Douglas Ralota Cagas Sports and Business Complex, Barangay Matti, Digos City, Province of Davao del Sur, this 31st day of August, 2023.

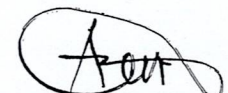
I hereby concur to the correctness of the minutes:

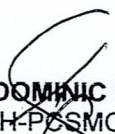

Engr. SHIELA MAE A. ZAPANTA, MPA
Administrative Officer IV, PMO
Head, BAC Secretariat for Infrastructure Projects



NORJANNA M. CAMAGUIN, MPA
Chief Administrative Officer, PMO
Head, BAC Secretariat for Goods and Consulting Services

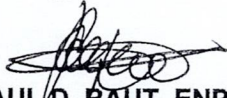

ENGR. RODERICK MILANA, REA
Provincial Assessor / BAC Member



ALLAN C. PUTONG, JD
PGDH-PGSO / BAC Member


ENGR. ANGELIE R. GELLA
APGDH-PEO / BAC Member


DOMINIC BUCOL, JD
PGDH-PGSMO / BAC Member

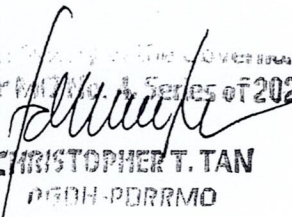

RAUL R. FUECONCILLO, LAgri.MAg.Dev.
Provincial Agriculturist / BAC Member


RAUL D. RAUT, ENP, JD
PGDH-PHRMO / BAC Vice-Chairperson


DESSAMIE BUAT-SANCHEZ, CPA, JD
PGDH-PBO / BAC Chairperson
Presiding Officer

Approved by:

YVONNE ROÑA CAGAS
Governor
Head of Procuring Entity


CHRISTOPHER T. TAN
PGDH-PHRMO